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302

Additions and Amendments

TO THE

School Laws of Ohio

PASSED BY THE

Seventy-Fourth General Assembly
at its Regular Session.

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1900

GENERAL SCHOOL LAWS.

[House Bill No. 165.]

AN ACT

To amend section 4002 of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 4002 be amended so as to read as follows:

School-houses
and libraries:

Sec. 4002. For the purpose of increasing and maintaining the public library in said city, and the territory thereto attached for school purposes, such library board may levy annually a tax of six-tenths of one mill on each dollar valuation of the taxable property of the city, and the territory thereto attached for school purposes, to be levied, collected and paid in the same manner as are school taxes of the city; all money appropriated, received or collected by tax for the library, shall be expended under the direction of the library board in purchasing such books, pamphlets, papers, magazines, periodicals, journals and other property as may be deemed suitable for the public library, and in payment of all other charges and expenses, including compensation of the librarian, assistants and help that may be incurred in increasing and maintaining the library, and all claims against said fund shall be approved by the president and secretary of said library board and paid upon the warrant of the auditor of the board of education in the manner now provided by law for the payment of claims against said city.

Library tax, and
how expended.

SECTION 2. That said section 4002 of the Revised Statutes, as amended May 16, 1894, be and the same is hereby repealed, and this act shall take effect from and after its passage.

Repeals.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed February 27, 1900.

[House Bill No. 229.]

AN ACT

To amend section 3991 of the Revised Statutes of Ohio so as to allow certain school districts to issue bonds by submitting the question to a vote of the people.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3991 of the Revised Statutes of the state of Ohio be and the same is hereby amended so as to read as follows:

School-houses
and libraries:

When and how
question of tax-
levy submitted
to voters.

Sec. 3991. When the board of education of any district determines that it is necessary for the proper accommodation of the schools of such district to purchase a site or sites and erect a school house or school houses thereon, or to do either, or when it shall become known to a board of education that the money provided for the purchase of a site or sites and the erection of a school house or school houses is not sufficient therefor, and such board ascertains that the purchase of such site or sites and the erection and furnishing of such school house or school houses, or either, or the completion of a partially built or unfurnished school house or school houses for which a sufficient sum of money has not been provided, will require a greater tax upon the property of such district than the board is authorized by this title to levy, and that to provide means therefor it will be necessary to issue bonds, it shall make an estimate of the probable amount of money required for such purposes, or either of them, and at a general election, or a special election called for that purpose, shall submit to the electors of the district the question of levying taxes for such purposes or either of them, and the further questions whether the levy shall be made from year to year thereafter, and what amount shall be levied each year until the actual cost of such site or sites, the erection of such school house or school houses, or completion or furnishing or re-furnishing of same or either of them, is raised; and ten day's notice of such submission shall be given by the board by posters put up in five of the most public places in the district, which shall state the time, place and object of the election.

Repeals, etc.

SECTION 2. That original section 3991 is hereby repealed and this act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 16, 1900.

33G

[House Bill No. 323.]

AN ACT

To further supplement section 2834 of the Revised Statutes of the State of Ohio as enacted 93 O. L., 172.

Be it enacted by the General Assembly of the State of Ohio:

Levying taxes.

SECTION 1. That section 2834 of the Revised Statutes of the state of Ohio be further supplemented as follows:

Disposition of
surplus under
Dow tax.

Sec. 2834d. Whenever there is in the treasury of any city, village, hamlet, county or township any surplus arising under an act entitled "An act providing against the evils resulting from the traffic in intoxicating liquors," passed

May 14, 1886, 83 O. L., 157, which surplus is not needed for the purpose named in section 9 of said act, such surplus may be, at any time, transferred to any other fund, including school fund, by an order of the proper authorities entered on their minutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

J. B. SNYDER,

Speaker pro tem. of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 21, 1900.

47G

[House Bill No. 66.]

AN ACT

To supplement section 3946 of the Revised Statutes of Ohio and authorizing and requiring the division of funds upon the formation of special and village school districts.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3946 be and the same is hereby supplemented with 3946a as follows:

Sec. 3946a. When a special or village school district is created the treasurer of the township district shall pay to the treasurer of such newly created district such relative portion of surplus money in the treasury of the township district as the valuation of the created district bears to the valuation of the township, and also a like relative portion of the levy, or levies, existing at the time such district is created as said levy or levies come into his hands.

Joint sub-dis-
tricts:

Duty of town-
ship treasurer
towards treasur-
er of newly
created sub-dis-
trict.

SECTION 2. This act shall take effect and be in force from and after its passage.

J. B. SNYDER,

Speaker pro tem. of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 22, 1900.

[House Bill No. 396.]

AN ACT

To amend section 3959, Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3959, Revised Statutes of Ohio, be amended so as to read as follows: School funds:

Maximum of
levy in Cincinnati.

Cleveland.

All other district
except —

Certain Hamilton
county and
all special and
village districts.

When and for
what purposes
greater tax may
be levied.

Repeals, etc.

Sec. 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class, three and one-fourth mills, provided, however, that the boards of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy, however, shall in no case exceed four and one-tenth mills; and in cities of the second grade of the first class such estimate and levy shall not exceed seven mills on the dollar of valuation of taxable property; provided, however, that boards of education in cities of the second grade of the first class may levy, in addition to the seven mills aforesaid, a tax of not to exceed one mill on the dollar of valuation of taxable [property] within said district which said levy shall be used for the purchase of school house sites and the erection of school buildings thereon and for no other purpose whatever, and for the purpose of paying for such sites or for the construction of such buildings such boards of education may issue certificates of indebtedness in anticipation of such levy, payable at such times not exceeding one year from date of issue as they may designate, but bearing no interest before maturity. And in all [other] districts, except those hereinafter named, such estimate and levy shall not exceed seven mills on each dollar of valuation of taxable property; provided, however, that in counties containing a city of the first grade of the first class, in districts outside such city in which a high school is maintained, and in all special and village districts of any county in the state, such estimate and levy shall not exceed ten mills on each dollar of valuation of taxable property; but a greater tax than is authorized above, except in city districts of the first class, may be levied for either of the purposes specified in section 3958 if the proposition to make such levy shall have been first submitted by the board of education to a vote of the electors of the school district, under a resolution prescribing the time, place and manner of voting on the same, and approved by two-thirds of those voting on the proposition, notice of which election must be given by publication of the resolution for three consecutive weeks prior thereto in some newspaper published and of general circulation in the district or by posting copies thereof in five of the most conspicuous places in the district, for a like period if no such paper is published therein.

SECTION 2. Said original section 3959 is hereby repealed and this act shall take effect and be in force from and after its passage.

J. B. SNYDER,

Speaker pro tem. of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 22, 1900.

[House Bill No. 415.]

AN ACT

To amend section 3951 of the Revised Statutes of Ohio, as amended March 9, 1896, and appropriating the increased levy therein provided.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3951 of the Revised Statutes of Ohio as amended March 9, 1896, be amended so as to read as follows:

School funds:

Sec. 3951. For the purpose of affording the advantages of a free education to all the youth of the state, there shall be levied annually a tax on the grand list of the taxable property of the state, which shall be collected in the same manner as other state taxes and the proceeds of which shall constitute "the state common school fund;" and for the purpose of higher, agricultural and industrial education, including manual training, there shall be levied and collected in the same manner, a tax on the grand list of taxable property of the state, which shall constitute "the Ohio State University fund." The rate of such levy in each case shall be designated by the general assembly at least once in two years; and if the general assembly shall fail to designate the rate for any year, the same shall be for "the state common school fund," one mill; and for the "Ohio State University fund" fifteen one-hundredths of one mill, for the years 1900 and 1901, and thereafter one-tenth of one mill upon each dollar of valuation of such taxable property; provided, that the five one-hundredths of a mill increase of levy for the Ohio State University fund" herein provided shall be used solely for the erection and equipment of buildings for said university.

"The state common school fund" and "the Ohio State University fund."

Purpose of increase of levy.

SECTION 2. There is hereby appropriated from the moneys raised or coming into the treasury from the increase of the levy for the Ohio State University herein provided, for the last three quarters of the fiscal year ending Nov. 15, 1900, and the first quarter of the fiscal year ending Nov. 15, 1901, the sum of ninety thousand dollars, or so much as may come into the treasury from said increased levy; and for the last three quarters of the fiscal year ending Nov. 15, 1901, and the first quarter of the fiscal year ending Nov. 15, 1902, the sum of ninety thousand dollars, or so much as may come into the treasury from said increased levy.

Appropriation of increase levy.

SECTION 3. Said section 3951 of the Revised Statutes of Ohio, as amended March 9, 1896, is hereby repealed, and this act shall take effect and be in force from and after its passage.

Repeals, etc.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 29, 1900.

[Senate Bill No. 74.]

AN ACT

Providing for life certificates of teachers in city districts of the first grade of the first class.

Be it enacted by the General Assembly of the State of Ohio:

Examiners:
In cities of the
first grade of the
first class board
of examiners
may grant life
certificates.

SECTION 1. That boards of examiners in city districts of the first grade of the first class, in addition to the grades of certificates named in section 4081, may grant permanent certificates of each class issued by them, which shall be valid for life within the district wherein granted; these certificates to be conditioned upon the applicant therefor having had fifty months successful experience in teaching, at least thirty of which shall have been in the schools of said city district, and in addition to the subjects mentioned in section 4074, said applicant shall give evidence of satisfactory knowledge of the history of education, science of education and psychology. Applicants for permanent certificates under this act shall pay to the clerk of said board of examiners a fee of three (\$3) dollars.

SECTION 2. This act shall take effect and be in force on and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed March 29, 1900.

[House Bill No. 740.]

AN ACT

To amend section 3886 of the Revised Statutes of Ohio, as amended April 21, 1898.

Be it enacted by the General Assembly of the State of Ohio:

Classification of
districts, etc.:

SECTION 1. That section 3886 of the Revised Statutes of Ohio, as amended April 21, 1898 (93 O. L., 165), be amended so as to read as follows:

City districts of
the first class.

Sec. 3886. Each city having a population of ten thousand or more, together with the territory attached to it for school purposes, if any, and excluding the territory within its corporate limits detached for school purposes, if any, shall constitute a school district to be styled a city district of the first class; cities of the first, second and third grades of the first class, together with the territory outside of their respective corporate limits, if any, attached to them for school purposes, and excluding the territory within their corporate limits, detached for school purposes, if any, shall constitute respectively school districts to be styled city districts of the first, second and third grades

City districts of
the first, second
and third grades
of the first class.

of the first class; and each district that has heretofore been constituted a city district of the first class, shall remain such, except as herein otherwise provided.

SECTION 2. That said section 3886, as amended April 21, 1898, be and the same is hereby repealed. Repeals

SECTION 3. This act shall be in force from and after its passage.

A. G. REYNOLDS,
Speaker of the House of Representatives.
JNO. A. CALDWELL,
President of the Senate.

Passed April 12, 1900.

[House Bill No. 875.]

AN ACT

To amend section 1 of an act entitled "An act for the establishment and maintenance of public libraries in certain cities of the first class," passed April 12, 1888, O. L. v. 85, p. 209 (sec. 4002-19, Revised Statutes), and to repeal supplementary section 1a of said act, passed March 12, 1889 (sec. 4002-20, Revised Statutes.)

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That said section 1 of said above entitled act be, and the same is hereby amended to read as follows:

School-houses
and libraries:

Sec. 1. That in any city of the third grade of the first class, the city council may, by a resolution passed by a majority of the members elected thereto, declare it to be essential to the interests of such city, to establish and maintain therein a public library and reading room. That thereafter the said city council shall, annually, levy a tax of thirty-five one-hundredths (35-100) of one mill on the dollar on the taxable property of such city for that purpose, to be called the library fund; and which levy shall be certified to the county auditor of the county, and by him placed on the tax duplicate of the county and collected as other taxes.

Establishment
of Toledo pub-
lic library; tax
for library.

SECTION 2. That said section 1 and said supplementary section 1a be, and the same are, hereby repealed; and this act shall take effect on its passage.

Repeals, etc.

A. G. REYNOLDS,
Speaker of the House of Representatives.
JNO. A. CALDWELL,
President of the Senate.

Passed April 14, 1900.

[House Bill No. 190.]

AN ACT

To amend section 4029-1 of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 4029-1 of the Revised Statutes of the state of Ohio be amended to read as follows:

Schools and attendance enforced:

Examination for entering high school.

[Sec. 4029-1.] Each board of county school examiners shall hold examinations of pupils of the subdistricts and special districts, in the subjects of orthography, reading, writing, arithmetic, geography, English grammar, United States history, and physiology. Two such examinations shall be held at such place or places and on such dates as the board of county examiners may determine, and shall be of such a character as shall permit the successful applicants, upon the payment of tuition, to enter any high school in the county in which the applicant resides, or in any adjoining county. The tuition of such successful applicant shall be paid by the board of education of the township or the special district in which such applicant resides, provided that there is no high school maintained and supported by the township or special district in which such pupil resides, where such pupil may attend without paying tuition.

Tuition to be paid by board of education.

Proviso.

Repeals, etc.

SECTION 2. Said original section 4029-1 is hereby repealed, and this act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 14, 1900.

[House Bill No. 556.]

AN ACT

To amend section 3926 (as amended 93 O. L., page 74), of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

Township and special districts:

How special district abandoned.

Notice of election.

SECTION 1. That section 3926 (as amended 93 O. L., page 74), be amended so as to read as follows:

Sec. 3926. When the electors of a special or village district desire to abandon their organization, and become a part of the township district of the township in which such special or village district is located, they shall make the change in the following manner: Written or printed notices shall be posted in at least five of the most public places in the district, signed by a majority of the members

of the board of education, or one of the board, and at least six resident electors of the district, requesting the qualified electors thereof to assemble on a day, and at an hour and place, designated in the notices, which notices shall be posted at least ten days prior to the day designated in them, then and there to vote for or against such change; the electors, when assembled at the time and place designated in the notices, shall appoint a chairman and two clerks, who shall be judges of the election, which shall continue at least two hours; those in favor of the proposed change shall have written or printed on their ballots the words, "School — change," and those opposed thereto the words, "School — no change;" and a majority of the ballots cast shall determine the question whether the change be made; the judges shall within five days after the election make due return thereof to the board of education of the district; and if a majority of the votes cast are in favor of the change, the board shall immediately certify that fact to the township board, which shall thereupon assume jurisdiction of the territory, property, and affairs of the special district, and thereafter treat such district as a subdistrict of the township district. Provided, however, that in a special district, which has been created from two or more joint subdistricts, subdistricts or parts of subdistricts if the electors of the territory which formerly composed any one or more of such joint subdistricts, subdistricts or parts of subdistricts desire to withdraw from the special district organization and become a part of the township in which they are situated, the change may be made by a majority vote of the electors of the special district except that posted notices signed by six resident electors shall be sufficient to call such election.

Judges of election; how chosen.

Returns of election.

Township board to have jurisdiction of territory, etc.

Withdrawal from special district.

SECTION 2. That said section 3926 (as amended 93 O. L., page 74), is hereby repealed, and this act shall take effect from and after its passage.

Repeals, etc.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 16, 1900.

[House Bill No. 166.]

AN ACT

To regulate the employment of minors in the mines of the state of Ohio, and to amend section 302 of the Revised Statutes of Ohio, passed April 21, 1898 (O. L. vol. 93, p. 164.)

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 302 be so amended as to read as follows:

Inspector of mines:

Employment of
minors; record
of same; inspec-
tion of record.

Sec. 302. No child under fifteen years of age shall be allowed to work in any mine, during the school term of the public schools in the district in which such minor resides, and no child under fourteen years of age shall be employed in any mine during the vacation interim of the public schools in the school district in which such minor resides, and in all cases of minors applying for work the agent of such mine shall see that the provisions of this section are not violated; he shall also keep a record of all minors employed by him, or by any person employed in said mines, giving the name, age, place of birth, parents' name and residence, with character of employment, and he shall demand from such minor proof that he has complied with the requirements of the school laws; and it shall be the duty of the mine inspector to inspect such record and to report to the chief inspector of mines the number of minors employed in or about such mines and to enforce the provisions of this section.

Repeals, etc.

SECTION 2. That said section 302 of the Revised Statutes of Ohio, passed April 21, 1898 (O. L., 93, page 164), be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 14, 1900.

[House Bill No. 870.]

AN ACT

To amend sections 3999a and 3999c, and to supplement section 3999 of the Revised Statutes of Ohio, as amended April 21, 1898 (93 O. L., 192), with sectional numbering indicated.

Be it enacted by the General Assembly of the State of Ohio:

School-houses
and libraries:

SECTION 1. That sections 3999a and 3999c of the Revised Statutes of Ohio be amended so as to read as follows:

Residents of
Hamilton coun-
ty entitled to
use of city
library.

Sec. 3999a. Each and every resident of the county within which is situated any city of the first grade of the first class, having therein established a public library, shall be entitled to the free use of such library, reading rooms and any branch or department of the same, and all the privileges thereof, upon such terms and conditions not inconsistent herewith, as the board of trustees of such library may prescribe.

Tax for library
purposes in Cin-
cinnati.

Sec. 3999c. For the purpose of increasing, maintaining and managing the public library in cities of the first grade of the first class, for which a board of trustees shall have been appointed, as provided in section 3999, the

said board of trustees may levy annually a tax of not exceeding five-tenths of a mill on each dollar valuation of the taxable property of the county wherein is situated such city, to be assessed, collected and paid in the same manner as are other taxes levied throughout the county. Said levy shall be certified by said board of trustees to the auditor of the county in which said city is situated, and shall be placed by said auditor on the tax duplicate and collected as other taxes. The money realized from said levy, and all moneys received or collected by said trustees for the library, shall be placed in the treasury of said county, subject to the order of said board of trustees of said library. Said fund shall be known as the library fund of said county, of which the county treasurer shall be the custodian, and no money shall be drawn therefrom, except upon the requisition of the board of trustees of said library, certified by the president and secretary of said board, directed to the county auditor, who shall draw his warrant upon the county treasurer therefor. Any part of said funds unexpended during any year shall remain to the credit of said library fund.

SECTION 2. That section 3999 of the Revised Statutes of Ohio, as amended April 21, 1898 (93 O. L., 192), be supplemented with sectional numbering as follows:

Sec. 3999e. No member of any of the boards exercising the power of appointment of the trustees of the public library, as provided in section 3999, shall be appointed or elected a member of said library board.

Who ineligible
as members of
library board.

SECTION 3. That original section 3999a and 3999c as passed April 21, 1898 (93 O. L., 192), be and the same are hereby repealed.

Repeals.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 14, 1900.

[House Bill No. 877.]

AN ACT

To amend section 4105 of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 4105 of the Revised Statutes of Ohio be amended so as to read as follows:

Colleges and
universities:

Sec. 4105. That the provisions of this chapter shall be applicable to cities of the third grade of the first class, except that the rate of taxation to be assessed and levied, shall not exceed one-half of one mill upon the taxable prop-

Provisions of
chapter applic-
able to city of
Toledo.

erty of such cities; and except that the board of directors or trustees shall consist of five members and shall be filled by appointment from persons of approved learning, discretion and fitness for the office, by the board of education and confirmed by the common council in the city in which such university shall be located; such appointments shall be made within thirty days after the passage of this act, and one member shall be appointed for one year, one member for two years, one member for three years, one member for four years, and one member for five years, and in April, 1901, and annually thereafter one member shall be appointed for a term of five years. The members of the university board of directors or trustees in cities of the third grade of the first class, in office when this act takes effect, shall continue in office until the board herein provided for shall be appointed and organized, at which time the powers and duties of such former board shall cease and determine, and their offices thenceforth shall be and are hereby abolished; and the directors or trustees appointed under this section shall serve until their successors are appointed and qualified, and any vacancy which may occur in the board of directors or trustees from resignation, removal, death or other cause, shall be filled by appointment in the same manner as is provided for the appointment of director or trustees in this section, for the unexpired term of such director or trustee.

Repeals, etc.

SECTION 2. That said original section 4105 is hereby repealed; and all acts or parts of acts inconsistent with this act, are hereby declared void as to such inconsistency but not otherwise; and this act shall take effect on its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 16, 1900.

[Senate Bill No. 338.]

AN ACT

To amend and supplement an act entitled "An act to amend section 3897 of the Revised Statutes, and supplementary thereto," passed April 14th, 1896.

Be it enacted by the General Assembly of the State of Ohio:

Schools :

SECTION 1. That sections 3897a, 3897b, 3897d and 3897h, of the Revised Statutes, be amended so as to read as follows :

Appointment of
teacher, etc.

Sec. 3897a. The superintendent of the public schools of said city district of the first grade of the first class shall

appoint all the teachers of said schools by and with the consent of the board of education, which appointments shall be for a period of one year, when made the second time shall be for a period of two years, and when made the third time shall be for a period of four years; all teachers who shall have served seven successive years in the public schools of said city district, whether before or after, or partly before or after the passage of this act, shall when appointed by the said superintendent, and confirmed by said board, hold their positions until removed by death, resignation or for cause, subject, however, to the provisions and requirements of sections 4074 and 4081 of the Revised Statutes and all other sections and provisions of the Revised Statutes relating to board of examiners and their powers and duties; provided, however, that any teacher of said schools may at any time be removed by said superintendent, subject to the approval of a majority of said board of education, for cause, upon written charges, which charges, when filed, shall be investigated by said board of education, or by a committee of said board appointed for such purpose, and the decision of said board of education shall be final. Whenever in said city districts of the first grade of the first class the high schools of said city district shall or at any time hereafter may be, under the control and management of a union board of high schools, or of any other separate board, the superintendent of public schools of said city district shall appoint all the teachers of said high schools, by and with the consent of the majority of the members of said union board of high schools, or any other separate board of said district, which appointments shall be for a period not exceeding one year; provided, however, that all teachers of said high schools who shall have served five successive years in the public schools of said city district or in the high schools of said city district, whether before or after, or partly before or after the passage of this act, or both, when appointed by said superintendent and confirmed by said union board or other separate board having the control of said high schools, shall hold their positions until removed by death, resignation or for cause, subject, however, to the provisions and requirements of sections 4074 and 4081 of the Revised Statutes and all other sections and provisions of the Revised Statutes relating to boards of examiners and their powers and duties; provided, however, that any teacher of said high schools may at any time be removed by said superintendent, subject to the approval of the majority of said union board of high schools, or other separate board, for cause upon written charges, which charges, when filed, shall be investigated by said union board, of high schools, or other separate board of said city district, or by a committee of said board appointed for such purpose, and a decision of such union board, or other separate board having control of said high schools, shall be final;

Removal of
teacher upon
charges.

Appointment of
teachers for
high schools

Removal of high
school teachers.

When board shall appoint high school teachers.

provided, further, that whenever the power to appoint teachers in the public schools of such city district of the first grade of the first class is not given by the law of the state to the superintendent of the public schools or not given to him by the board of education of such city district in pursuance of the law, then said union board of high schools, or other separate board, shall appoint such teachers in the high schools to serve as above provided, with power of removal as above provided. The provisions of this section relating to the appointment and terms of teachers shall not apply to the appointment or term of any superintendent or superintendents of schools of such city districts.

Teachers' pension fund.

Sec. 3897b. In order to create a fund to be known as the "school teachers' pension fund," two dollars a month for each and every school month shall be deducted by the proper officers from the salaries paid to all teachers of said city district of the first grade of the first class, including the teachers of the high schools of said city district, and paid into the city treasury to the credit of said fund, to be used exclusively for pensions for teachers as herein-after provided. All moneys received from donations, legacies, gifts, bequests or from any other source shall also be paid into said fund or into a permanent fund, only the interest of which may be applied to the payment of pensions, but no taxes shall be levied or any other public moneys be appropriated for said fund, except as herein provided.

Retirement and pension of teachers.

Sec. 3897d. Said board of education of said city district and said union board or other separate board having the control and management of the high schools of said city district shall each of them have power by a majority vote of all the members composing said board to retire on account of physical or mental disability any male or female teacher under such board who shall have taught for a period aggregating twenty (20) years, whether before or after, or partly before or after the passage of this act; provided, however, that three-fifths of said period of service shall have been rendered by said beneficiary in the public schools or the high schools of said city district, or in the public schools or high schools of the county in which said city district is located. The term "teacher" under this act shall include the superintendent of schools, all superintendents of instruction, principals, special teachers, and teachers employed by either of said boards. Any teacher shall have the right to retire and become a beneficiary under this act who shall have taught for a period aggregating thirty (30) years, whether before or after, or partly before or after the passage of this act; provided that three-fifths of said term of service shall have been rendered in the public schools or the high schools of said city district, or in the public schools or high schools of the county in which said city district is located. Each teacher so retired or retiring shall be entitled during the remainder of his or her natural life to receive as pension, annually, the

"Teacher" defined.

Amount of pension.

sum of ten (\$10) dollars, for each and every year of service rendered as teacher, but in no event shall such pension paid to any teacher exceed the sum of five hundred (\$500) dollars in any one year, and said pension shall be paid monthly during the school year; but in no event shall such pension be paid to any teacher until such teacher shall contribute or shall have contributed to said fund a sum equal to twenty (\$20) dollars a year for each and every year of service rendered as teacher, but in no event shall this sum exceed six hundred (\$600) dollars; but should any teacher retiring be unable to pay the full amount of this sum before receiving a pension, the board of trustees shall, in paying the annual pension to such retiring teacher, withhold on each month's payment twenty per cent. thereof, until the full amount as above provided shall have been thus contributed to the fund; provided, further, that if said pension fund shall at any time be insufficient to meet the pensions so provided for that during the period that such fund is insufficient to make such payments, the amount in said fund during said period shall be pro-rated between the parties entitled thereto. No payments shall be made to any beneficiary, nor shall any teacher retired or retiring be entitled to any payment under the provisions of this act prior to July 1st, 1899.

Sec. 3897h. Any teacher who shall resign or be removed for cause as aforesaid, shall upon application within three (3) months after date of such resignation or removal be entitled to receive one-half of the total amount paid by such teacher into such fund. In case of the death of any teacher, the heirs, legatees or assigns of the deceased teacher shall be entitled to receive one-half of the total amount paid by such teacher into such fund, upon application therefor with proof of claim to the satisfaction of the board of trustees.

Rebate in case of resignation or renewal.

Heirs, legatees or assigns of deceased teacher entitled to half amount paid.

SECTION 2. That said act entitled "An act to amend section 3897 of the Revised Statutes, and supplementary thereto," passed April 14th, be supplemented as follows:

Sec. 3897i. The board of trustees shall make such rules and regulations as it may deem expedient or necessary for its government.

Rules and regulations.

SECTION 3. That Sections 3897a, 3897b, 3897d and 3897h of an act entitled "An act to amend section 3897 of the Revised Statutes, and supplementary thereto," passed April 14th, 1896, be and the same are hereby repealed.

Repeals, etc.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 16, 1900.

[Senate Bill No. 23.]

AN ACT

To amend sections 364 and 365 of the Revised Statutes of Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*Commissioner
of schools:

SECTION 1. That sections 364 and 365 be amended so as to read as follows:

Duty of Commis-
sioner on com-
plaint of fraudu-
lent use of
money, etc.

SEC. 364. When a complaint is made to the state commissioner of common schools, in writing, verified by the affidavits of at least three freeholders and taxpayers, resident of any school district in the state, and bearing the certificate of the auditor or auditors of the respective county, or counties, in which said district is located, that said affiants are freeholders and taxpayers, alleging that they have good reason to and do believe that any portion of the school fund of such district has been expended, or is being expended, contrary to law, or has been fraudulently, unlawfully, or corruptly used, or misapplied, by any of the officers of such district, or that there have been fraudulent entries in the books, accounts, vouchers, or settlement sheets thereof, by any such officers, or that any of such officers have not made settlements of their account as required by law, or whenever, from information filed in his office, or from other cause, the state commissioner of common schools may deem it necessary for the safety and security of the public funds of any school district, situated in the state of Ohio, he is authorized and required to appoint some trustworthy and competent accountant, for the purpose of investigating such complaint, or allegations, who after being duly commissioned by said state commissioner of common schools and sworn by any person authorized by law to administer oaths, shall forthwith visit such school district and take possession of all the books, papers, vouchers and accounts of such district, and investigate the truth of the allegations of such complaint, and the condition of the school fund of such district; and the several officers of such school district, on the application of such examiner, shall immediately place in his possession all their books, accounts, contracts, vouchers, and other papers having reference to the receipts and disbursements of the school funds; and the county auditor and treasurer shall give such examiner free access to all the records, books, papers, vouchers, and accounts of their respective offices having reference to the object of such investigation, and said examiner is authorized, by and with the written consent of the prosecuting attorney, or the judge of the court of common pleas of the county in which such district is located, to require the assistance of the official stenographer of said county, in making such examination; and said stenographer shall receive only such compensation and in the manner provided in section 478 Revised Statutes, upon the certificate of the prosecuting attorney of said county.

Appointment of
accountant to
investigate
charges.Examiner enti-
tled to stenogra-
pher.Powers and du-
ties of examiner.

SEC. 365. Such examiner shall have authority to call before him forthwith, upon written notice, and examine

witnesses, under oath, to be administered by him; and he shall immediately after completing such investigation, report in writing, in duplicate, setting forth the condition of the books, vouchers, and accounts of such district, the amount of school funds received for any and all purposes, and from whatever source, the amount expended, and for what, and the amount actually in the treasury, one copy of which report he shall file in the office of the clerk of the court of common pleas of the county in which such district is situate, and the other copy he shall transmit to the state commissioner of common schools at Columbus; and the examiner so appointed and performing the duties herein required, shall receive as compensation a per diem of five dollars for each day necessarily engaged in the performance of his duties, and shall also receive five cents for each mile by him necessarily traveled in that behalf; but no mileage shall be allowed for a greater distance than from Columbus to such district; and such compensation and mileage shall be paid out of the county treasury upon the warrant of the county auditor, and if the investigation establish the truth of any material allegation in such complaint, then such amount so paid shall be assessed by the county auditor upon the taxable property of the district, to be collected as other taxes are for the use of such county treasurer.

His compensation.

Payment thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,
Speaker of the House of Representatives.
 JNO. A. CALDWELL,
President of the Senate.

Passed April 16, 1900.

[House Bill No. 487.]

AN ACT

To provide for the centraliaztion of township schools and provide a high school for the same.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. For the purposes of this act the word "centralization" is hereby defined as a system of schools in a township providing for the abolishment of all sub-districts and the conveyance of pupils to one or more central schools.

"Centralization" defined.

SECTION 2. A township board of education may submit the question of centralization, and upon the petition of not less than one-fourth of the qualified electors of such township district, must submit such question to a vote of the qualified electors of such township district, and if more

Submission of question of centralization.

votes are cast in favor of centralization than against it, at such election, it shall then become the duty of the board of education, and such board of education is required to proceed at once to the centralization of schools of the township and if necessary, purchase a site or sites and erect a suitable building or buildings thereon; provided, that if, at the said election, more votes are cast against the proposition for centralization than for it, the question shall not again be submitted to the electors of said township district for a period of two years.

Conduct of election.

SECTION 3. All elections ordered by a board of education in pursuance of section two of this act shall be held at the usual place or places of holding township elections, at a regular or special election as may be determined by the board and notice shall be given and the election conducted in all respects as provided by law for the election of township officers, and the ballots shall have printed thereon: "For centralization—Yes." "For centralization—No."

Submission of question of issuing bonds.

SECTION 4. Should the board of education deem it necessary to issue bonds to purchase a site or sites or erect a building or buildings for the purpose of such centralization, then the election shall be conducted as provided in section three of this act, but in such case the ballots shall have printed thereon: "For levying a tax to purchase—— site (or sites) and erect——building (or buildings) for the centralization of schools at a cost not to exceed \$—— yes." "For levying a tax to purchase—— site (or sites) and erect—— building (or buildings) for the centralization of schools at a cost not to exceed \$——, no." and if more votes are cast in favor of levying said tax for said purpose than against said proposition, at such election, it shall be the duty of the said board of education, and the board of education is authorized to issue bonds and sell the same as provided by law and to levy a special tax to provide for the payment of the same together with interest thereon; provided, said levy shall not in any one year exceed five mills on the dollar valuation and said bonds shall not bear more than six per cent. interest and shall not be sold at less than their face value.

Board of education; election and term.

SECTION 5. In a township district in which proceedings have been had under the preceding sections of this act and the vote has been favorable for centralization, there shall be an election held on the next succeeding first Monday of April for the election of a board of education, consisting of five members elected at large in said township district; one of whom shall serve three years, two for two years and two for one year; and two members shall be elected annually thereafter for a term of three years, except every third year but one shall be elected for three years. Said election shall be held at the annual voting place or places in said township, by the regular election officers and shall be conducted in all respects as provided by law for the election of township officers; provided, there shall be a

separate ballot box, poll books and tally sheets, and said election officers shall receive no extra compensation for such services.

SECTION 6. Upon the election, qualification and organization of the board of education provided for in section five of this act, the board of education previously existing in said township district shall cease to exist and the same is hereby abolished and the board of education provided for in this act shall be considered the successor of the former township board.

Abolishment of prior existing board; its successor.

SECTION 7. The clerk of the township shall be ex officio member of the board of education, provided for by this act and shall be clerk thereof; the treasurer of the township shall be ex officio treasurer of the board of education; provided, that in all other respects the law governing village boards of education shall govern and control all boards of education organized as provided by this act.

Township clerk ex-officio member of board and clerk.
Township treasurer ex-officio treasurer of board.
What laws govern board.

SECTION 8. Boards of education in township districts organized as provided for by this act are required to maintain and support a graded course of instruction, and may include a high school course of not less than two years; they are also required to furnish transportation to and from school, to all pupils living more than three-fourths of a mile from the central building, said distance to be measured from the enclosure immediately surrounding their residence to the school-house property, along the nearest public highway.

Course of instruction.

Transportation of pupils.

SECTION 9. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 16, 1900.

[Senate Bill No. 194.]

AN ACT

To supplement section 3751 of the Revised Statutes.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That the following sections be enacted as supplemental to section 3751 of the Revised Statutes and with the sectional numbering as herein provided:

Colleges, etc.:

SEC. 3751-b. A corporation may be formed for the promotion of academic, collegiate or university education, under religious influences, and is hereby authorized and empowered to set forth in its articles, or certificate of corporation, as a part of the same, the name of the religious sect, association or denomination with which it proposes

Incorporation of colleges under ecclesiastical patronage; what articles shall contain.

to be connected, and it is further authorized and empowered to grant any ecclesiastical body of such religious sect, association or denomination, whether the same be a conference, association, presbytery, synod, general assembly, convocation or otherwise, the right to appoint its trustees or directors, or any number thereof; and it is further authorized and empowered to set forth in its articles or certificate of corporation, such other rights as to the administration of the purpose for which it is organized, and not inconsistent with the laws of this state or of the United States, as said incorporation may desire to confer upon said ecclesiastical body of such religious sect, association or denomination and the said ecclesiastical body of such religious sect, association or denomination shall possess and exercise all rights and powers so set forth in said articles, or certificate of corporation.

Existing corporations may avail themselves of provisions of act; how.

SEC. 3751-c. Any corporation formed for the promotion of academic, collegiate or university education, under religious influences, which has been incorporated under the laws of this state, whether by special act of the legislature or otherwise, may avail itself of the provisions of the preceding section, as a part of its articles or certificate of incorporation, and may confer on any ecclesiastical body of such religious sect, association or denomination, as it is now, or proposes to be connected with, whether the same be a conference, association, presbytery, synod, general assembly, convocation or otherwise, any or all of the rights, powers or privileges provided by the preceding section to be conferred on corporations hereafter organized, and may accept the provisions of such preceding section by a vote of the majority of the trustees of such corporation at any regular meeting; and when so accepted, a copy of said acceptance, certified by the secretary or clerk of its board of trustees or directors, shall be sent to the ecclesiastical body with which it is now or proposes to be connected; if such ecclesiastical body agree to accept the powers proposed to be conferred upon it, it shall certify its approval upon such certified copy sent to it, and the same shall thereupon be filed in the office of the secretary of state; and, when so filed, the same shall become and be a part of the charter of said corporation; and said ecclesiastical body of such religious sect, association or denomination, whether the same be a conference, association, presbytery, synod, general assembly, convocation or otherwise, shall possess and exercise all the rights and powers so set forth in said articles of certificate of corporation.

Copy of acceptance of provision to be filed with secretary of state.

SECTION 2. This act shall take effect from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

O. SHEPPARD,

President pro tem. of the Senate.

Passed April 16, 1900.

[Senate Bill No. 244.]

AN ACT

To amend section 4017 of the Revised Statutes of Ohio by supplementary section 4017a.

SECTION 1. That section 4017 of the Revised Statutes of Ohio be supplemented by section 4017a.

SEC. 4017a. Each board of education may employ a teacher or teachers whose duty it shall be to give instruction and training in vocal music to the youth of all the schools of the district, and said board is empowered to purchase and supply all appliances and books necessary to the proper pursuit of such branch of study.

Employment of teacher of music; board to furnish appliances and books.

SECTION 2. That this act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

JNO. A. CALDWELL,

President of the Senate.

Passed April 16, 1900.

[Senate Bill No. 58.]

AN ACT

To amend section 6969 of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 6969 of the Revised Statutes of Ohio be amended so as to read as follows:

Offenses against public policy.

SEC. 6969. It shall be unlawful for any person holding any office of trust or profit in this state, either by election or appointment, or any agent, servant or employe of such officer, or of a board of such officers to become directly or indirectly interested in any contract for the purchase of any property, supplies or fire insurance for the use of the county, township, city, village, hamlet, board of education or public institution with which he is connected. And it shall be unlawful for any such person, agent, clerk, servant or employe to become interested in any contract for the purchase of property, supplies or fire insurance for the use of any county, township, city, village, hamlet, board of education or public institution with which he is [not] connected when the amount of such contract exceeds the sum of fifty dollars, unless the contract is let on competitive bids, duly advertised as provided by law. Any person violating the provisions of this act shall be imprisoned in the penitentiary not more than ten years nor less than one year.

Officer or agent of state who is interested in contracts for use of state.

SECTION 2. Said original section 6969 of the Revised Statutes of Ohio be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

O. SHEPPARD,

President pro tem. of the Senate.

Passed April 16, 1900.

[Senate Bill No. 16.]

AN ACT

To amend an act entitled "An act to amend section 3959 of the Revised Statutes of Ohio, as amended April 10, 1896."

Be it enacted by the General Assembly of the State of Ohio:

School funds:

SECTION 1. That section 3959 of the Revised Statutes as amended April 10, 1896, be amended to read as follows:

Maximum levy.

SEC. 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class, three and one-fourth mills, provided, however, that the boards of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy, however, shall in no case exceed four and one tenth mills; and in cities of the second grade of the first class such estimate and levy shall not exceed eight mills on the dollar of valuation of taxable property for the year 1900, nor more than seven mills on the dollar of valuation of taxable property thereafter; provided, however, that boards of education in said cities of the second grade of the first class may levy, for the year 1900, in addition to the eight mills aforesaid, and thereafter may levy in addition to the seven mills, a tax not to exceed one mill on the dollar of valuation of taxable property within said district which said levy shall be used for the purchase of school-house sites and the erection of school buildings thereon and for no other purpose whatever, and for the purpose of paying for such sites or for the construction of such buildings such boards of education may issue certificates of indebtedness in anticipation of such levy, payable at such times not exceeding one year from date of issue as they may designate, but bearing no interest before maturity. And in all other districts, except those hereinafter named, such estimate and levy shall not exceed seven mills on each dollar of valuation of taxable property; provided, however, that in counties containing a city of the first grade of the first class, in districts outside such city in which a high school is maintained, and in all special and village districts of any county in the state, such estimate and levy shall not exceed eight mills on each dollar of valuation of taxable

property; but a greater tax than is authorized above, except in city districts of the first class, may be levied for either of the purposes specified in section 3958 if the proposition to make such levy shall have been first submitted by the board of education to a vote of the electors of the school district, under a resolution prescribing the time, place and manner of voting on the same, and approved by two-thirds of those voting on the proposition, notice of which election must be given by publication of the resolution for three consecutive weeks prior thereto in some newspaper published and of general circulation in the district, or by posting copies thereof in five of the most conspicuous places in the district, for a like period if no such paper is published therein.

Submission of
question of
greater levy.

SECTION 2. Section 3959 of the Revised Statutes, as amended April 10, 1896, is hereby repealed and this act shall take effect on its passage.

Repeals.

A. G. REYNOLDS,

Speaker of the House of Representatives.

O. SHEPPARD,

President pro tem. of the Senate.

Passed April 16, 1900.

[Senate Bill No. 283.]

AN ACT

To amend an act entitled "An act requiring instruction in the common schools and in certain educational institutions, as to the effect of alcoholic drinks and narcotics on the human system," passed by the general assembly of Ohio, April 13, 1888. Vol. 85, Ohio Laws, 213.)

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. The nature of alcoholic drinks and other narcotics, and their effects on the human system, in connection with the various divisions of physiology and hygiene, shall be included in the branches to be regularly taught in the common schools of the state, and in all educational institutions supported wholly, or in part, by money from the state; and it shall be the duty of boards of education, and boards of such educational institutions to make suitable provisions for this instruction in the schools and institutions under their respective jurisdiction, giving definite time and place for this branch in the regular course of study; and to adopt such methods as will adapt the same to the capacity of pupils in the various grades; and to corresponding classes as found in ungraded schools; the same tests for promotion shall be required in this as in other branches.

Instruction as
to effect of al-
coholic drinks
on the human
system, required
in public
schools.

Provision there-
for.

SECTION 2. In all teachers' institutes, also in all normal schools and teachers' training classes which shall hereafter be established by the state, adequate time and attention

Instruction of
teachers.

Examination of
teachers re-
quired.

Duty of commis-
sioner of com-
mon schools.

Penalty for fail-
ure to give such
instruction.

Repeals.

shall be given to instruction in the best methods of teaching this branch. No certificate shall be granted to any person to teach in the common schools, or in any educational institution supported as aforesaid who does not pass a satisfactory examination on this subject, and the best methods of teaching the same. It shall be the duty of the state commissioner of common schools to see that the provisions in this section relating to county teachers' institutes, and schools and classes by whatever name hereafter established for training teachers, and the examination of teachers, are carried out; and said commissioner shall, each year, make full report of the enforcement of said section in connection with his annual report.

SECTION 3. Any school official, or any employe in any way concerned, in the enforcement of this act, who wilfully refuses or neglects to provide for, or to give the instruction required by this act, shall be fined, and shall pay for each offense the sum of twenty-five dollars. Mayors, justices of the peace and probate judges shall have concurrent jurisdiction with the common pleas court to try the offenses described in this act and all fines, or penalties, collected under this act shall be paid into the general county school fund of the county in which such fine or penalty was collected.

SECTION 4. That an act entitled "An act requiring instruction in the common schools and in certain educational institutions, of the effect of alcoholic drinks and narcotics on the human system," passed by the general assembly of Ohio April 13, 1888 (85 vol. Ohio Law, 213), be, and the same is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,

Speaker of the House of Representatives.

O. SHEPPARD,

President pro tem. of the Senate.

Passed April 16, 1900.

[Senate Bill No. 63.]

AN ACT

To amend section 4104 of the Revised Statutes of Ohio.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 4104 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 4104. In cities of the first grade of the first class where there are universities supported in whole or in part by public taxation upon the property of such city, the board of education of the city shall, upon the application of said

Colleges and
universities:

When and how
tax shall be
levied.

board of directors of such universities, assess and levy a tax on the taxable property of the city, not less than nor more than three-tenths of one mill on the dollar valuation thereof, to be applied by the board of directors to the support of such university, college, or institution, and the board of education shall also assess and levy, annually, not less than three-hundredths nor more than five hundredths of one mill on the dollar of such valuation, for the establishment and maintenance of an astronomical observatory in connection with such university, college or institution, the proceeds of which shall be paid to the board of directors, and applied by them for said purpose exclusively.

SECTION 2. That the original section 4104 be and hereby is repealed, and all acts and parts of acts inconsistent with this act are declared void as to such inconsistency, but not otherwise. Repeals.

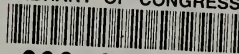
SECTION 3. This act shall take effect and be in force from and after its passage.

A. G. REYNOLDS,
Speaker of the House of Representatives.

JNO. A. CALDWELL,
President of the Senate.

Passed April 16, 1900.

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